

ORDINANCE 20-02

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM AGRICULTURAL (A) (ALACHUA COUNTY) TO COMMUNITY COMMERCIAL (CC) ON A ±8.5 ACRE PROPERTY; LOCATED SOUTH OF NW US HIGHWAY 441, APPROXIMATELY 600 FEET WEST OF THE INTERSECTION OF NW US HIGHWAY 441 AND TURKEY CREEK BOULEVARD; CONSISTING OF A PORTION OF TAX PARCEL NUMBER 05899-001-000; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, an application for a Site-Specific Amendment to the Official Zoning Atlas (“Amendment”), as described below, has been filed with the City; and

WHEREAS, on September 26, 2019, the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency (“LPA”); and

WHEREAS, on October 8, 2019, the LPA conducted a quasi-judicial public hearing on the proposed Amendment and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation to the City Commission; and

WHEREAS, on October 24, 2019, and on November 7, 2019, the City advertised public hearings to be held before the City Commission; and

WHEREAS, on November 4, 2019, and on November 18, 2019, the City Commission conducted quasi-judicial public hearings on the proposed Amendment and provided for and received public participation at both public hearings; and

WHEREAS, the City Commission has determined and found the proposed Amendment to be consistent with the City’s Comprehensive Plan and the City’s Land Development Regulations (“LDRs”); and

WHEREAS, for reasons set forth in this ordinance that is hereby adopted and incorporated as findings of fact, the Alachua City Commission finds and declares that the enactment of this Amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:

Section 1. Findings of Fact and Conclusions of Law

1. The above recitals are true and correct and are incorporated herein by reference.
2. The proposed Amendment is in compliance with the City's LDRs.
3. The proposed Amendment will not cause a reduction in the adopted level of service standards for transportation, water, sewer, waste, stormwater, recreation, and public schools.

Section 2. Official Zoning Atlas Amended

The Official Zoning Atlas is hereby amended from Agricultural (A) (Alachua County) to Community Commercial (CC) for a portion of Tax Parcel Number 05899-001-000, in accordance with the legal description found in Exhibit "A" and map found in Exhibit "B" attached hereto and incorporated herein.

Section 3. Ordinance to be Construed Liberally

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents of Alachua, Florida.

Section 4. Repealing Clause

All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 5. Severability

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

Section 6. Effective Date

This ordinance shall take effect immediately upon its adoption by the City Commission and the signature of the Mayor.

PASSED on First Reading the 4th day of November 2019.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 18th day of November 2019.

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor
SEAL

ATTEST:

APPROVED AS TO FORM

Adam Boukari, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION:

Parcel Number 05899-001-000 (portion of)

A portion of the East 1/2 of Government Lot 2 of Section 28, Township 8 South, Range 19 East, Alachua County, Florida; being more particularly described as follows:

Commence at the northeast corner of Section 28, Township 8 South, Range 19 East, Alachua County, Florida, and run thence South 88°13'12" West, along the north boundary of said Section, 2008.32 feet; thence South 01°49'01" East, 1155.74 feet to a point on the northerly right-of-way line of State Road No. 25 (US Highway No. 441, 200' right-of-way); thence South 01°52'09" East, 209.78 feet to a 4"x 4" concrete monument (P.L.S. 940) on the southerly right-of-way line of said State Road No. 25 and the Point of Beginning; thence South 01°50'30" East, along the west line of the East 1/2 of said Government Lot 2, as per Official Records Book 3793, page 1 of the Public Records of Alachua County, Florida, 553.42 feet; thence South 73°57'04" East, 706.74 feet to a point on the east line of said Government Lot 2; thence North 02°29'39" West, along said east line, 555.50 feet to a point on said southerly right-of-way line; thence North 73°57'04" West, along said southerly right-of-way line, 700.09 feet to the Point of Beginning.

Containing 8.50 acres (370,459 square feet, more or less).

EXHIBIT "B"

